

01-31-2005 21:28

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T-833 P.004/017 F-774

JAN 31 2005

PATENT  
Attorney Docket No. 104.0004-03000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Confirmation No.: 3765  
David F. Meschan )  
Serial No.: 10/735,343 ) Group Art Unit: 3728  
Filed: December 11, 2003 ) Examiner: Ted Kavanaugh  
For: ATHLETIC SHOE WITH )  
IMPROVED HEEL STRUCTURE )

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT

In reply to the Restriction Requirement of October 13, 2004, the period for reply having been extended for three (3) months by a request for extension and fee payment filed concurrently herewith, Applicant provisionally elects to prosecute claims 184-198, 203-231, and 236-248 directed to Species VIII, Fig. 25. In addition, the following amendments and remarks are submitted:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.